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10/004,143	10/23/2001	Anthony Bove	01-10029	9267
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CISLO & THOMAS, LLP 233 WILSHIRE BLVD SUITE 900 SANTA MONICA, CA 90401-1211			GOFF II, JOHN L	
			ART UNIT	PAPER NUMBER
			1733	

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Please find below and/or attached an Office communication concerning this application or proceeding.

AS

# Office Action Summary

Application No.

10/004,143

Applicant(s)

BOVE ET AL.

Examiner

John L. Goff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/29/03</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the amendment received on 12/29/03.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
4. Claims 1-4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moronaga et al. (U.S. Patent 4,633,598) in view of Masuda (U.S. Patent 4,843,738).

Moronaga et al. disclose an insole laminate for an athletic shoe. Moronaga et al. teach the insole comprises a cut laminate of a soft/cushioning leather upper, a flexible synthetic rubber core, and a cushioning, i.e. shock-absorbing, base (Figures 1 and 2 and Column 2, lines 61-66 and Column 3, lines 19-21). Moronaga et al. are silent as to including magnetic powder in the synthetic rubber core. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the synthetic rubber core taught by Moronaga et al.

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magnetic powder as it was well known and conventional in the art to provide the rubber core of a wearable product such as an insole with magnetic powder to give the product health promoting properties as shown for example by Masuda (similarly directed to an insole having a synthetic rubber layer including magnetic powder). Additionally, it is noted Moronaga et al. are silent as to perforating the insole laminate and using any particular synthetic rubber. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perforate the insole laminate taught by Moronaga et al. as was well known and conventional in the art to provide the insole with ventilating properties as shown for example by Masuda and furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the synthetic rubber taught by Moronaga et al. any well known and conventional synthetic rubber used to make insoles such as NBR as shown for example by Masuda wherein only the expected results would be achieved.

Regarding claim 2, Moronaga et al. as modified by Masuda do not specifically teach cutting the insole laminate prior to perforating. However, it would have been well within the purview of one of ordinary skill in the art at the time the invention was made to perforate the insole laminate taught by Moronaga et al. as modified by Masuda prior to cutting the insole laminate as only the expected results would be achieved.

Regarding claims 4 and 7-10, it would have been obvious to one of ordinary skill in the art at the time the invention was made when incorporating magnetic powder into the synthetic rubber layer taught by Moronaga et al. as modified by Masuda to do so using any well known method such as that suggested by Masuda, requiring forming a magnetizable synthetic rubber mixture including crosslinker (zinc oxide) and nylon mesh support, heat pressing the mixture

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into a sheet, and magnetizing the sheet, as only the expected results would be achieved.

Furthermore, while Moronaga et al. as modified by Masuda are silent as to all possible additives for the magnetizable synthetic rubber mixture it would have been obvious to one of ordinary skill in the art at the time the invention was made to include well known and conventional additives for rubber mixtures such as stearic acid and mold-release agent to provide the mixture with a lubricating agent (the stearic acid) and a release agent, i.e. to prevent the mixture of sticking to the roller.

Masuda discloses a shoe insole comprising a flexible magnetic core for providing magnetotherapy to a foot. Masuda teaches a method for forming the insole comprising mixing a strongly magnetizable material, e.g. ferrite, with an elastic binder, e.g. NBR rubber, zinc oxide, curing agent, softener, etc., rolling the mixture into a magnetizable sheet, cutting the sheet into an insole section, pressing the sheet along with a nylon mesh at an elevated temperature to form a reinforced magnetizable sheet, perforating the sheet to provide ventilation holes, and magnetizing the sheet to form an insole (Figure 3 and Column 1, lines 6-10 and Column 2, lines 59-68 and Column 3, lines 1-5, 14-30, and 52-68 and Column 4, lines 1-6 and 24-28).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moronaga et al. and Masuda as applied above in paragraph 4, and further in view of Baermann (U.S. Patent 4,549,532).

Moronaga et al. and Masuda as applied above teach all of the limitations in claim 5 except for a specific teaching of using strontium ferrite as the ferrite powder. However, it is noted Masuda is not limited to any particular type of ferrite powder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the ferrite powder

taught by Moronaga et al. as modified by Masuda strontium ferrite as this was a well known ferrite material used in magnetotherapeutic articles as shown for example by Baermann.

Baermann discloses a magnetic sheet for therapeutic use wherein the sheet comprises particles such as barium or strontium ferrite. Baermann teaches the sheet is magnetized in first and second polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. to provide optimum therapeutic effects (Figures 1-4 and Column 1, lines 60-68 and Column 2, lines 1-2 and 63-65).

6. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moronaga et al. and Masuda as applied above in paragraph 4, and further in view of Blume (U.S. Patent 3,127,544).

Moronaga et al. and Masuda as applied above teach all of the limitations in claims 11-14 except for using a magnetizing press to magnetize the sheet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Moronaga et al. as modified by Masuda using a conventional magnetizing press as was well known in the art as shown for example by Blume as only the expected results would be achieved.

Blume discloses a magnetizing press for magnetizing sheet materials comprising a first roller, i.e. jaw, having magnets with a first polarity configuration, a second roller having magnets with a second polarity configuration, and each roller has bands of dielectric material, e.g. brass, for contacting, i.e. pressing, and pulling the sheet material through the press (Figures 1-3 and Column 1, lines 11-20 and Column 2, lines 25-32 and Column 3, lines 72-75 and Column 4, lines 1-5).

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7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moronaga et al. and Masuda as applied above in paragraph 4, and further in view of Baermann (Baermann is described above in paragraph 5) and Ardizzone (U.S. Patent 5,514,072).

Moronaga et al. and Masuda as applied above teach all of the limitations in claim 17 except for a specific teaching as to magnetizing the sheet in polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Moronaga et al. as modified by Masuda in any variety of polarity configurations as it was well known and conventional in the art to use any number of polarity configurations including contiguous alternating magnetic triangles, concentric circles, squares, etc. as shown for example by Baermann and Ardizzone to provide the sheet with optimum therapeutic effects.

Ardizzone discloses a magnetic sheet for therapeutic use wherein the sheet is magnetized in first and second polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. to provide optimum therapeutic effects (Figure 9 and Column 1, lines 12-15 and Column 5, lines 56-59 and Column 6, lines 1-8).

8. Claims 15, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moronaga et al. (Moronaga et al. is described above in paragraph 4) in view of Masuda (Masuda is described above in paragraph 4), Baermann (Baermann is described above in paragraph 5), Ardizzone (Ardizzone is described above in paragraph 7) and Blume (Blume is described above in paragraph 6).

Moronaga et al. are silent as to including magnetic powder in the synthetic rubber core. However, it would have been obvious to one of ordinary skill in the art at the time the invention

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was made to include in the synthetic rubber core taught by Moronaga et al. magnetic powder as it was well known and conventional in the art to provide the rubber core of a wearable product such as an insole with magnetic powder to give the product health promoting properties as shown for example by Masuda (similarly directed to an insole having a synthetic rubber layer including magnetic powder). Additionally, it is noted Moronaga et al. are silent as to perforating the insole laminate and using any particular synthetic rubber. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perforate the insole laminate taught by Moronaga et al. as was well known and conventional in the art to provide the insole with ventilating properties as shown for example by Masuda and furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the synthetic rubber taught by Moronaga et al. any well known and conventional synthetic rubber used to make insoles such as NBR as shown for example by Masuda wherein only the expected results would be achieved.

As to perforating the sheet before cutting, it would have been well within the purview of one of ordinary skill in the art at the time the invention was made to perforate the insole laminate taught by Moronaga et al. as modified by Masuda prior to cutting the insole laminate as only the expected results would be achieved.

As to adding forming the synthetic rubber layer, it would have been obvious to one of ordinary skill in the art at the time the invention was made when incorporating magnetic powder into the synthetic rubber layer taught by Moronaga et al. as modified by Masuda to do so using a well known method such as that suggested by Masuda, requiring forming a magnetizable synthetic rubber mixture including crosslinker (zinc oxide) and nylon mesh support, heat



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pressing the mixture into a sheet, and magnetizing the sheet, as only the expected results would be achieved. Furthermore, while Moronaga et al. as modified by Masuda are silent as to all possible additives for the magnetizable synthetic rubber mixture it would have been obvious to one of ordinary skill in the art at the time the invention was made to add to include well known and conventional additives for rubber mixtures such as stearic acid and mold-release agent to provide the mixture with a lubricating agent (the stearic acid) and a release agent, i.e. to prevent the mixture of sticking to the roller.

As to using strontium ferrite as the ferrite powder, it is noted Masuda is not limited to any particular type of ferrite powder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the ferrite powder taught by Moronaga et al. as modified by Masuda strontium ferrite as this was a well known ferrite material used in magnetotherapeutic articles as shown for example by Baermann.

As to using a magnetizing press to magnetize the sheet, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Moronaga et al. as modified by Masuda using a conventional magnetizing press as was well known in the art as shown for example by Blume as only the expected results would be achieved.

Regarding claims 16 and 18, Moronaga et al. and Masuda are silent as to magnetizing the sheet in polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Moronaga et al. as modified by Masuda in any variety of polarity configurations as it was well known and conventional in the art to use any number of polarity configurations including contiguous alternating magnetic triangles,

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concentric circles, squares, etc. as shown for example by Baermann and Ardizzone to provide the sheet with optimum therapeutic effects.

9. Claims 1-4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda (Masuda is described above in paragraph 4) in view of Moronaga et al. (Moronaga et al. is described above in paragraph 4).

Masuda is silent as to providing the magnetizable sheet with a leather upper. It would have been obvious to one of ordinary skill in the art at the time the invention was made to laminate the magnetizable sheet taught by Masuda with a leather upper to provide a soft surface for contacting the foot as this was a well known technique in the art for improving the comfort of the insole as shown for example by Moronaga et al. Masuda is further silent as to providing the magnetizable sheet with a cushioning base. It would have been obvious to one of ordinary skill in the art at the time the invention was made to laminate the magnetizable sheet taught by Masuda with a cushioning base to provide a shock absorbing surface as this was well known technique in the art for improving the comfort of the insole as shown for example by Moronaga et al.

Regarding claim 2, it is noted Masuda teaches cutting prior to perforating. However, it would have been well within the purview of one of ordinary skill in the art at the time the invention was made to perforate the magnetizable sheet taught by Masuda as modified by Moronaga et al. prior to cutting as opposed to after cutting as only the expected results would be achieved.

Regarding claim 7, Masuda is silent as to all possible additives for the magnetizable mixture. However, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to add to the mixture taught by Masuda as modified by Moronaga et al. well known additives for rubber mixtures such as stearic acid and mold-release agent to provide the mixture with a lubricating agent (the stearic acid) and a release agent, i.e. to prevent the mixture of sticking to the roller.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda and Moronaga et al. as applied above in paragraph 9, and further in view of Baermann (Baermann is described above in paragraph 5).

Masuda and Moronaga et al. as applied above teach all of the limitations in claim 5 except for a specific teaching of using strontium ferrite as the ferrite powder. However, it is noted Masuda is not limited to any particular type of ferrite powder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the ferrite powder taught by Masuda as modified by Moronaga et al. strontium ferrite as this was a well known ferrite material used in magnetotherapeutic articles as shown for example by Baermann.

11. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda and Moronaga et al. as applied above in paragraph 9, and further in view of Blume (Blume is described above in paragraph 6).

Masuda and Moronaga et al. as applied above teach all of the limitations in claims 11-14 except for using a magnetizing press to magnetize the sheet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Masuda as modified by Blume using a conventional magnetizing press as was well known in the art as shown for example by Blume as only the expected results would be achieved.

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12. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda and Moronaga et al. as applied above in paragraph 9, and further in view of Baermann (Baermann is described above in paragraph 5) and Ardizzone (Ardizzone is described above in paragraph 7).

Masuda and Moronaga et al. as applied above teach all of the limitations in claim 17 except for a specific teaching as to magnetizing the sheet in polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Masuda as modified by Moronaga et al. in any variety of polarity configurations as it was well known and conventional in the art to use any number of polarity configurations including contiguous alternating magnetic triangles, concentric circles, squares, etc. as shown for example by Baermann and Ardizzone to provide the sheet with optimum therapeutic effects.

13. Claims 15, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda (Masuda is described above in paragraph 4) in view of Moronaga et al. (Moronaga et al. is described above in paragraph 4), Baermann (Baermann is described above in paragraph 5), Ardizzone (Ardizzone is described above in paragraph 7) and Blume (Blume is described above in paragraph 6).

Masuda is silent as to providing the magnetizable sheet with a leather upper. It would have been obvious to one of ordinary skill in the art at the time the invention was made to laminate the magnetizable sheet taught by Masuda with a leather upper to provide a soft surface for contacting the foot as this was well known technique in the art for improving the comfort of the insole as shown for example by Moronaga et al. Masuda is further silent as to providing the magnetizable sheet with a cushioning base. It would have been obvious to one of ordinary skill

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in the art at the time the invention was made to laminate the magnetizable sheet taught by Masuda with a cushioning base to provide a shock absorbing surface as this was well known technique in the art for improving the comfort of the insole as shown for example by Moronaga et al.

As to perforating the sheet, it is noted Masuda teaches cutting prior to perforating. However, it would have been well within the purview of one of ordinary skill in the art at the time the invention was made to perforate the magnetizable sheet taught by Masuda as modified by Moronaga et al. prior to cutting as opposed to after cutting as only the expected results would be achieved.

As to adding stearic acid and mold release agent to the mixture, Masuda is silent as to all possible additives for the magnetizable mixture. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add to the mixture taught by Masuda as modified by Moronaga et al. well known additives for rubber mixtures such as stearic acid and mold-release agent to provide the mixture with a lubricating agent (the stearic acid) and a release agent, i.e. to prevent the mixture of sticking to the roller.

As to using strontium ferrite as the ferrite powder, it is noted Masuda is not limited to any particular type of ferrite powder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use as the ferrite powder taught by Masuda as modified by Moronaga et al. strontium ferrite as this was a well known ferrite material used in magnetotherapeutic articles as shown for example by Baermann.

As to using a magnetizing press to magnetize the sheet, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught

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by Masuda as modified by Blume using a conventional magnetizing press as was well known in the art as shown for example by Blume as only the expected results would be achieved.

Regarding claims 16 and 18, Masuda and Moronaga et al. are silent as to magnetizing the sheet in polarity configurations consisting of contiguous alternating magnetic triangles, concentric circles, etc. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to magnetize the sheet taught by Masuda as modified by Moronaga et al. in any variety of polarity configurations as it was well known and conventional in the art to use any number of polarity configurations including contiguous alternating magnetic triangles, concentric circles, squares, etc. as shown for example by Baermann and Ardizzone to provide the sheet with optimum therapeutic effects.

### *Response to Arguments*

14. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues, "In combining the references of the Masuda '738 patent and the Moronaga et al. '598 patent, a person of ordinary skill in the art would come up with a Masuda-like magnetic insole having the cushioning characteristics of the Moronaga et al. '598 patent. There is no indication in either patent as to the geometry or structure of such a resulting insole. The person of ordinary skill in the art can combine the two as they are without modification and without reference to Applicants' patent application. **In so doing, it would be more natural and normal for a person of ordinary skill in the art to achieve a Moronaga et al.-type insole for a shoe having an additional magnetic core along the lines of Masuda.** Such an insole would not be the streamlined and efficiently compact one set forth in Applicants' application, but would be one that would be suffering from several different laminated layers that may cause an increased height thereby limiting the foot space available for the wearer. Additionally, such a synthesized laminated insole (arising from a combination of Masuda with Moronaga et al.) would depart from the use of large and small projections 3a, 3b, 4a, 4b present in the Masuda '738 reference. Consequently, combining the Moronaga et al. '598 reference with the Masuda '738 reference might result in an insole that not only does not indicate or teach Applicants'

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claims, but destroys, alters, and/or teaches away from the insole present in the Masuda '738 patent." (Emphasis added)

In view of applicants arguments that a combination of Moronaga et al. in view of Masuda would more likely result in a Moronaga et al.-type insole having an additional magnetic core along the lines of Masuda, a new rejection over Moronaga et al. in view of Masuda is set forth above. However, it is noted the combination does not substitute the magnetic core taught by Masuda into Moronaga et al. as an additional layer, the combination merely incorporates magnetic powder into the existing synthetic rubber layers taught by Moronaga et al. for the given therapeutic reasons. It is additionally noted that the rejection of Masuda in view of Moronaga et al. is maintained because while applicant has alleged a combination of the two would depart from the use of large and small projections in Masuda applicant has not provided any reason why this would occur.

Applicant further argues, "Applicants' insole does not require or claim the flexible reinforcing material present and required in the Masuda reference. Nor does Applicants' method."

It is noted claims 10, 15, and 18 require incorporating a nylon mesh that is analogous to the reinforcing material taught by Masuda.

Applicant further argues, "No indication or teaching is present in either Masuda or Moronaga et al. that reveals the advantages of Applicants' insole or its method of manufacture. Masuda makes no reference to an upper of any material and Moronaga et al. is silent on magnets and magnetotherapy. Consequently, only with hindsight in light of Applicants' disclosure is a teaching to combine the two found. Only with hindsight is the advantage of Applicants' insole seen."

It is noted the combination of Masuda in view of Moronaga et al. to provide the insole of Masuda with an upper is properly combinable as it is well known technique in the art to provide an insole with a cushioning upper and Moronaga et al. is merely exemplary of this. Furthermore,

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the combination of Moronaga et al. in view of Masuda to provide the synthetic rubber layer of the insole taught by Moronaga et al. with magnetic powder is properly combinable to give the insole taught by Moronaga et al. magnetotherapy properties/good health properties.

### ***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **(571) 272-1216**. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John L. Goff  
March 10, 2004



JEFF H. AFTERGUT  
PRIMARY EXAMINER  
GROUP 1300